

PROPOSED DEVELOPMENT CONDITIONS

SE 2011-LE-005

September 21, 2011

If it is the intent of the Board of Supervisors to approve SE 2011-LE-005, located at 5716 South Van Dorn Street, Tax Maps 81-2 ((1)) 12B; 81-2 ((3)) 1, 2 to permit an increase in building height pursuant to Sect. 9-607 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Verizon Wireless along with AT&T Mobility," prepared by Morris and Ritchie Associates, Inc., and dated January 12, 2010, as revised through September 6, 2011, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the Special Exception SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and shall be made available to all Department of the County of Fairfax during hours of operation of the permitted use.
5. An eight foot high solid wood or otherwise architecturally solid fence shall be installed and properly maintained around the generators as shown on the SE Plat.
6. The screens for the telecommunication facilities shall be designed to have a color substantially similar to the color of the penthouse.
7. Prior to the installation of the proposed telecommunication facilities all existing antennas that exceed 98 feet in height shall be removed.
8. Notwithstanding the depictions and descriptions on the SE Plat, the telecommunication antennas on the building rooftop may be modified or increased in number and size if they continue to be shielded from the ground by the screening shown on the SE plat. Furthermore, the addition of flush mounted antennas, equipment or modifications of the existing unscreened antennas may be approved by the Zoning Administrator in

accordance with Par. 4 of Sect. 9-004 of the Zoning Ordinance. The provision of additional areas for unscreened antennas not reflected on the SE Plat that are not flush mounted should be considered a modification of the SE Plat and require an amendment. The provision of additional areas for screening for antennas not reflected on the SE Plat should be considered a modification and require an amendment.

9. Notwithstanding the above, any future telecommunication facility shall be subject to Section 15.2-2232 of the Code of Virginia.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicants shall be themselves responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.